

## Message

**From:** Lang, Annette (ENRD) [Annette.Lang@usdoj.gov]  
**Sent:** 10/22/2018 3:59:38 PM  
**To:** Carla Morgan (cmorgan@eastchicago.com) [cmorgan@eastchicago.com]  
**CC:** Zander, Rachel [Zander.Rachel@epa.gov]; Toney, Marcy [tony.marcy@epa.gov]; Rolfes, Sarah [Rolfes.Sarah@epa.gov]; Ault, Wayne (USAINN) [Wayne.Ault@usdoj.gov]  
**Subject:** USS Lead Warrant Application  
**Attachments:** ENV\_ENFORCEMENT-#2776767-v1-uss\_lead\_\_\_Filed\_Stamped\_Warrant\_Application\_(as\_filed).PDF;  
 ENV\_ENFORCEMENT-#2776772-v1-uss\_lead\_\_\_File\_Stamped\_Memo\_ISO\_Warrant\_Application\_(as\_filed).PDF

Carla –

Following up on the email below, I have attached a copy of the following materials which were filed in the Northern District of Indiana this morning:

1. Warrant Application for Entry and Soil Collection at Nine Unsampled Properties
2. Memorandum in Support of the Warrant Application. Included at attachments to this document are an Index of Exhibits, a Declaration of Sarah Rolfes, and Exhibits to Ms. Rolfes' Declaration.

If you recall, we are not yet actually seeking the warrants for access. Instead, we intend to serve a copy of these materials on the occupied properties. (In the email I sent you below, I attached a table that shows which properties are occupied and which are unoccupied.) Consistent with DOJ practice, the materials will be served by the US Marshalls Service in the next five days. In addition, we intend to try to call the landlord about this filing. We cannot serve her because she never provided us with her address.

The owners of the occupied properties will be given five days from the date of the service to contact either the Court or the US Attorneys Office if they wish to oppose the application for a warrant. After the five days have expired, we will go to Court to actually seek the warrants.

And, just FYI, all the owners of the occupied properties have previously been advised that EPA intended to secure access to their yards via the Court if EPA could not secure access voluntarily. The Rolfes' Declaration and Exhibits demonstrate the extensive efforts that EPA made to try to secure access voluntarily.

Please feel free to share these with the Mayor's Office. You or they can direct any questions to me or EPA.

Thanks.

Annette

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**From:** Lang, Annette (ENRD)  
**Sent:** Thursday, October 11, 2018 12:50 PM  
**To:** Carla Morgan (cmorgan@eastchicago.com) <cmorgan@eastchicago.com>  
**Cc:** Rachel Zander (zander.rachel@epa.gov) <zander.rachel@epa.gov>  
**Subject:** Table of Nine Unsampled Properties

Carla –

Following up on our call, I have attached a list of the 9 properties in Zone 3 that EPA has not gotten access to sample at. Out of a total of 481 properties in Zone 3, these are the only 9 left without access.

As I mentioned, in the near term, we intend to *apply* for warrants to sample the soil at these properties. We will not be asking the Court to actually issue the warrants at the time of our application because we plan to serve the warrant

materials on the 5 properties that are occupied. The occupied properties are identified on the attached. We will then give those five individuals 5 days to contact either the Court or the US Attorneys Office to object. After the expiration of the 5 day period, we will file the Notice of Service with the Court and ask for the issuance of the warrants.

I will provide you with copies of the warrant materials once they are filed.

Thanks so much.

Annette

Annette M. Lang  
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